

The following communication was received from the Governor.

EXECUTIVE OFFICE, STATE OF TEXAS, }
AUSTIN, June 3, 1873. }

Hon. E. B. Pickett, President of the Senate:

SIR: I return to the Senate, where it originated, the act entitled "An act supplementary and amendatory of an act to provide for the establishment of the Agricultural and Mechanical College of Texas, approved April 17, 1871."

This act proposes to set apart, for the building of the Agricultural and Mechanical College at Bryan, twenty leagues of land belonging to the University of Texas, forty of the State five per cent. thousand dollar bonds, now in the treasury and belonging to the same institution, and the balance of the appropriation, upwards of forty thousand dollars, made April 17, 1871, in all, property and money, worth more than three hundred thousand dollars in gold.

When it is considered that the proposed buildings for that college are not estimated to cost more than ninety thousand dollars, it will be seen that this appropriation is extravagant and invites looseness of expenditure on the part of the commissioners.

But there is still a greater difficulty to surmount about this matter of setting apart these university lands and bonds for any other purpose than that called for in the act incorporating the university. That act seems to give the administrators of the university the control, care and preservation of the property of the institution.

It is true that this is subject to the supervision of the Legislature, but such supervisory power cannot be distorted into a power in the Legislature to give away the property of the institution, or to put authorities or persons in control of it, other than the administrators of the university. I refer on this point to the act of February 11, 1858.

The process by which the valuable university lands set

June 4, 1873.]

SENATE JOURNAL.

1167

apart by this act are to be sold or disposed of, is also liable to very serious objection. It is sufficient to say in reference to this, that the manner pointed out invites speculation in those lands, and is a guarantee that the State will not realize but a very small fraction of their real value.

It is proper to mention that the lands indicated in this act are the most valuable among those belonging to the university. The twenty leagues amount to nearly ninety thousand acres, and should be worth three dollars an acre.

Very respectfully,

EDMUND J. DAVIS, Governor.